

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

SHANNON LEE HUMMEL,	:	
Plaintiff	:	CIVIL ACTION NO. 4:20-1636
v.	:	(JUDGE MANNION)
KILOLO KIJAKAZI,	:	
Commissioner of Social Security,	:	
Defendant	:	

ORDER

Pending before the court is the October 27, 2021 report of Magistrate Judge Martin C. Carlson, which recommends that the decision of the Commissioner of Social Security denying the plaintiff's claim for disability insurance benefits under Title II of the Social Security Act be affirmed and the plaintiff's appeal be denied. (Doc. 15). To date, neither the plaintiff nor the Commissioner has filed objections to the report, and the time within which to do so has expired. Upon review, the report of Judge Carlson will be adopted in its entirety.

When no objections to a report and recommendation are filed, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."

Fed.R.Civ.P. 72(b), advisory committee notes; see *also* Univac Dental Co. v. Dentsply Intern., Inc., 702 F.Supp.2d 465, 469 (2010) (citing Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every Report and Recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. §636(b)(1); Local Rule 72.31.

In his report, Judge Carlson finds that substantial evidence supports the ALJ's finding that plaintiff did not meet all of the requirements of Social Security Listing 12.04, which relates to depression and bipolar disorders, and that she was not *per se* disabled. The court has reviewed the evidence of record as a whole and finds no clear error of record with regard to Judge Carlson's findings with respect to the issue presented. Moreover, the court agrees with the sound reasoning that led Judge Carlson to the conclusions in his report. As such, the court will adopt the report and recommendation of Judge Carlson as the decision of the court.

In light of the foregoing, **IT IS HEREBY ORDERED THAT:**

- (1) The report and recommendation of Judge Carlson, **(Doc. 15)**, is **ADOPTED IN ITS ENTIRETY**, as the ruling of the court.
- (2) The plaintiff's appeal, **(Doc. 1)**, is **DENIED**.

(3) The Clerk of Court is directed to **CLOSE THIS CASE.**

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: January 4, 2022

20-1636-01